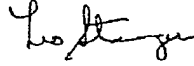


JUL 21 2004

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I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below. Fax 703-872-9306



Date: 7/22/04

Leo Stanger

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : **Bertram V. Burke**  
Serial No : **09/611,905**  
Filed : **July 7, 2000**  
For : **Method and System to Create and Distribute Excess Funds From Consumer Spending Transactions**  
Docket : **EPC-8C**  
Art Unit : **2164 (Tel 703-305-3900, Fax 703-308-6296, 6306)**  
Examiner : **Dr. Geoffrey Akers, P.E. (Tel 703-306-5844)**

Hon. Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## COVER SHEET FOR THIRD PRELIMINARY AMENDMENT

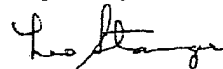
Sir:

Supplemental to the Request for Continued Examination (RCE) submitted June 13, 2003, and prior preliminary amendments, transmitted is a third preliminary amendment.

STATUS OF CLAIMS					
	AFTER AMEND	HIGHEST PAID FOR	NO. EXTRA	RATE	NET
Total	57	57	0	x \$9 =	\$ 00.00
Independ	5	5	0	x \$43 =	\$ 00.00
Multiple Dep. Claims, if any					\$ 00.00
Total Due					\$ 00.00

It is respectfully requested the US Patent and Trademark Office charge any amounts due, or credit any excess payments, to Deposit Account No. 194124.

Respectfully submitted,



Leo Stanger  
Registration No. 19,188

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**JUL 21 2004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : **Bertram V. Burke**

Serial No : **09/611,905**

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Consumer Spending Transactions**

Docket : **EPC-8C**

Art Unit : **2164 (Tel 703-305-3900, Fax 703-308-6296, 6306)**

Examiner : **Dr. Narayanswamy Subramanian (Tel 703-305-4878)**

Hon. Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL AMENDMENT

Sir:

Supplemental to the previous amendment please amend this application in  
accordance with the attached sheets.

The Examiner, Dr. Subramanian and his supervisor, Dr. Patel, are respectfully  
thanked for the interview courteously granted July 7, 2004. At that time, we discussed the  
fact that supplemental amendments submitted December 19, 2003 and March 24, 2004 were

never officially entered although applicant does have official receipts therefore. Copies of the receipts are attached. It is again respectfully requested that these amendments be entered.

Unofficially applicant's counsel had been informed earlier that the application without these amendments had been passed to allowance and was now back with the Examiner.

During the interview counsel showed how the new claims submitted in these amendments followed along the line of the former ostensibly-allowable claims. Dr. Subramanian and Dr. Patel pointed out that a new search would have to be made, and brought US Patent No. 6,052,074 of Zervides, filed December 23, 1997, to counsel's attention. Counsel noted that the earliest effective filing date of the patent came after the earliest date of the parent of the present continuation application. Dr. Subramanian indicated that the PTO had not entered any claim for priority of the parent and grandparent cases of the present application in the file of this application. Counsel indicated that applicant had already claimed priority of parent and grandparent applications in the declaration of the present application. Counsel indicated that he would submit a separate claim for priority and amendment to the specification. This should overcome the citation of patents of applicant Burke as well as the Zervides reference.

Dr. Subramanian and Dr. Patel asked that any new claims submitted take heed of 35 USC 101 issues and suggested including language in the claims that the method is computerized.

It is respectfully requested the attached claims be allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leo Stanger". The signature is fluid and cursive, with the first name "Leo" and last name "Stanger" clearly distinguishable.

Leo Stanger  
Registration No. 19,188

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AM10